

States national security interests, prior to repeal by Pub. L. 103-199, title III, §306, Dec. 17, 1993, 107 Stat. 2324.

§ 2458a. Federal employee participation in cultural exchange programs

(a) Grants and other foreign government assistance; family or household expense assistance prohibited; “Federal employee” defined

(1) Congress consents to the acceptance by a Federal employee of grants and other forms of assistance provided by a foreign government to facilitate the participation of such Federal employee in a cultural exchange—

(A) which is of the type described in section 2452(a)(2)(i) of this title,

(B) which is conducted for a purpose comparable to the purpose stated in section 2451 of this title, and

(C) which is specifically approved by the Secretary of State for purposes of this section;

but the Congress does not consent to the acceptance by any Federal employee of any portion of any such grant or other form of assistance which provides assistance with respect to any expenses incurred by or for any member of the family or household of such Federal employee.

(2) For purposes of this section, the term “Federal employee” means any employee as defined in subparagraphs (A) through (F) of section 7342(a)(1) of title 5, but does not include a person described in subparagraph (G) of such section.

(b) Foreign grants and other assistance not gifts for purposes of section 7342 of title 5

The grants and other forms of assistance with respect to which the consent of Congress is given in subsection (a) of this section shall not constitute gifts for purposes of section 7342 of title 5.

(c) Regulations

The Secretary of State is authorized to promulgate regulations for purposes of this section.

(Pub. L. 87-256, §108A, as added Pub. L. 94-350, title I, §111, July 12, 1976, 90 Stat. 825; amended Pub. L. 96-60, title II, §204(d), Aug. 15, 1979, 93 Stat. 400.)

AMENDMENTS

1979—Subsec. (a)(2). Pub. L. 96-60 substituted “(F)” for “(E)” and “(G)” for “(F)”.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-60 effective Oct. 1, 1979, see section 209 of Pub. L. 96-60, set out as a note under section 1471 of this title.

§ 2459. Immunity from seizure under judicial process of cultural objects imported for temporary exhibition or display

(a) Agreements; Presidential determination; publication in Federal Register

Whenever any work of art or other object of cultural significance is imported into the United States from any foreign country, pursuant to an agreement entered into between the foreign owner or custodian thereof and the United States or one or more cultural or educational

institutions within the United States providing for the temporary exhibition or display thereof within the United States at any cultural exhibition, assembly, activity, or festival administered, operated, or sponsored, without profit, by any such cultural or educational institution, no court of the United States, any State, the District of Columbia, or any territory or possession of the United States may issue or enforce any judicial process, or enter any judgment, decree, or order, for the purpose or having the effect of depriving such institution, or any carrier engaged in transporting such work or object within the United States, of custody or control of such object if before the importation of such object the President or his designee has determined that such object is of cultural significance and that the temporary exhibition or display thereof within the United States is in the national interest, and a notice to that effect has been published in the Federal Register.

(b) Intervention of United States attorney in pending judicial proceedings

If in any judicial proceeding in any such court any such process, judgment, decree, or order is sought, issued, or entered, the United States attorney for the judicial district within which such proceeding is pending shall be entitled as of right to intervene as a party to that proceeding, and upon request made by either the institution adversely affected, or upon direction by the Attorney General if the United States is adversely affected, shall apply to such court for the denial, quashing, or vacating thereof.

(c) Enforcement of agreements and obligations of carriers under transportation contracts

Nothing contained in this section shall preclude (1) any judicial action for or in aid of the enforcement of the terms of any such agreement or the enforcement of the obligation of any carrier under any contract for the transportation of any such object of cultural significance; or (2) the institution or prosecution by or on behalf of any such institution or the United States of any action for or in aid of the fulfillment of any obligation assumed by such institution or the United States pursuant to any such agreement.

(Pub. L. 89-259, Oct. 19, 1965, 79 Stat. 985.)

CODIFICATION

Section was not enacted as a part of the Mutual Educational and Cultural Exchange Act of 1961, which comprises this chapter.

EXECUTIVE ORDER NO. 11312

Ex. Ord. No. 11312, Oct. 14, 1966, 31 F.R. 13415, which related to the delegation of functions to the Secretary of State, was revoked by Ex. Ord. No. 12047, Mar. 27, 1978, 43 F.R. 13359, set out below.

EX. ORD. NO. 12047. IMPORTED OBJECTS OF CULTURAL SIGNIFICANCE

Ex. Ord. No. 12047, Mar. 27, 1978, 43 F.R. 13359, as amended by Ex. Ord. No. 12388, Oct. 14, 1982, 47 F.R. 46245, provided:

By virtue of the authority vested in me by the Act of October 19, 1965, entitled “An Act to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes” (79 Stat. 985, 22 U.S.C. 2459), and as President of